

FINANCIAL MANAGEMENT SERVICE

FY 2011 SHUTDOWN PLAN

1. GENERAL. FMS is required by the Department of the Treasury to have a shutdown plan in the event of a lapse in appropriations. In accordance with the Department of the Treasury and OPM guidance, the shutdown plan allows for operation of functions to perform and maintain the national financial critical infrastructure and designated mission essential functions, which include resources for emergency protection of life or property, and the simultaneous orderly shutdown of specific activities and release of non-excepted employees associated with non-exempt activities. We estimate that three hours will be needed for the immediate shutdown of operations. See Attachment A for OMB Circular A-11 compliance.

The foundation of the FMS shutdown plan is communication. FMS employees at all levels should know: (a) a shutdown of operations is imminent and why; (b) what activities will be shutdown; (c) their excepted or non-excepted status; (d) what their rights are as a furloughed employee; and (e) how they will be notified to return to work. Communication of shutdown procedures and diligent dissemination of shutdown information to all FMS employees are the cornerstones to an orderly shutdown of operations.

In accordance with Homeland Security Presidential Directive/HSPD-7, the FMS critical infrastructure functions that underpin American society as designated by the Department of the Treasury include: payments, collections, and cash reporting. FMS is required to ensure these activities are fully operational at all times. This includes resources to support disbursements of interest on the debt, disbursements to Social Security recipients, and maintaining government-wide accounting activities, as well as activities related to borrowing and tax collection.

2. ASSUMPTIONS.

A. Congress and the President will not agree to an appropriations bill which ensures federal funding.

B. Official notification for shutdown of operations will occur the 1st workday after the effective date of the shutdown prompting a rapid transition from shutdown preparation phase to shutdown implementation.

C. Official furlough notification will be given to non-excepted employees and is effective on the 1st workday after the effective date of the shutdown. It is anticipated that the shutdown period will not exceed 30 days.

3. REFERENCES.

A. Anti-Deficiency Act, 31 U.S.C. 1341 and 1342.

B. Balanced Budget and Emergency Deficit Control Act of 1985, Section 252.

C. Budget Enforcement Act of 1990.

- D. Department of Justice opinion dated August 16, 1995.
- E. OMB Bulletin 80-14 (dated August 28, 1980), Supplement 1.

SECTION I – SHUTDOWN PREPARATION.

A. Bureau Contact.

B. Current List of Functions. A list of Excepted and Non-Excepted functions is provided at Attachment B.

C. Employee Notification Procedures - Human Resources Division

- (1) Develops steps to be used to advise employees of the potential shutdown of operations and their excepted or non-excepted status in advance of official shutdown notification.
- (2) Responsible for employee notification procedures to include issuance of furlough letters and information on health/life insurance coverage. Proponent for answering employee questions concerning pay, leave, benefits and time in service.
- (3) Coordinates with the Union to ensure labor-management partnership during shutdown planning and implementation.
- (4) Develops employee notification procedures for employees in travel/training status when shutdown notification is given.
- (5) Prepares return to work procedures to recall all furloughed employees to duty.

D. Acquisition Management Division and Budget Division

- (1) Identify contracts for award using no-year, multi-year, advanced appropriations, etc., for continuation of award of contracts.
- (2) Identify contracts essential to the FMS mission, especially those related to benefit payments and maintenance of the government-wide accounting systems, to develop an action plan for continuation of services.
- (3) Process actions for no-year projects based on management prioritization.

E. Customer Notification

- (1) All Assistant Commissioner areas will notify their respective customers in writing of their plans for operations during a shutdown.

(2) Customers will be provided with primary and alternate points of contact to ensure, at a minimum, an avenue of communication is provided.

SECTION II – SHUTDOWN IMPLEMENTATION

* All FMS employees will be provided written notification of the possibility of a shutdown.

* Based on determinations made by the Commissioner, Deputy Commissioner, and Assistant Commissioners, FMS will provide two letters: one letter to employees designated as Excepted, and another letter to employees designated as Non-Excepted. Letters will be distributed through the Assistant Commissioner offices to ensure all employees receive the appropriate notices.

A. Chronological Order of Actions

(1) Notice to NTEU on the status of the shutdown and possible actions. The Labor Relations Office will serve as the focal point for communications with NTEU.

(2) Employee Letter issued to workforce on the status of shutdown and possible actions.

(3) All employees notified of position status – excepted and non-excepted, as well as plans and requirements. (Attachments C-1, C-2, and D)

(4) Letters issued to workforce addressing furlough related questions and answers. (Attachment E)

(5) The Commissioner and the Executive Board will meet to review plans including procedures for notification of furlough for non-excepted employees.

Each Assistant Commissioner will ensure previously identified employees are aware of their excepted status for FMS to comply with shutdown requirements.

(6) Assistant Commissioners will provide Human Resources Division with a list of employees on travel, training, and extended leave status.

Assistant Commissioners will evaluate project priorities and make changes, if necessary, based on reduced staffs operating under the funding hiatus.

(7) All employees must report for duty on the first work day of shutdown. No paid leave will be granted and AWS days will be cancelled. Employees on detail in and around Washington, DC will be required to report to FMS.

Non-excepted staff will be engaged in activities incidental to shutting down their respective

operations, securing their workstations, and duties necessary to assuring the rapid restart of operations when funding is renewed.

If an appropriations bill has not been approved, non-excepted staff will be given furlough notices and dismissed until funding is approved by Congress. (Attachments F and G)

(8) The day after the shutdown is implemented – Non-excepted employees continue to monitor local news media reports and call the FMS Emergency Notification phone numbers. FMS may also use the Automated Call Tree Notification System to notify employees. Non-excepted employees must report to duty upon receipt of notification from FMS.

In case of extended furlough, FMS management will continue to review the appropriate number of retained staff in order to ensure that it is adequately staffed to meet critical needs.

B. Guard Force/Building Security.

(1) Guard force operations supporting the Regional Financial Centers will remain as normal.

(2) Guard force operations supporting FMS Headquarters buildings in the Maryland and Washington Districts will operate on a holiday and weekend schedule.

C. Property Management

(1) The Ardmore Warehouse will be in operation (limited staff) to receive property scheduled to arrive.

(2) Actions necessary to transfer real personal property and non-personnel records on the 30th day of the lapse of appropriations – To Be Determined.

SECTION III – REACTIVATION OF FUNCTIONS

(1) The Department will notify FMS that an appropriations bill has been enacted and authorize the reestablishment of all operations/functions that were curtailed during the period of lapsed funding.

(2) Upon receipt of notification concerning the passage of an approved budget for FY 2011 or a new Continuing Resolution, employees will return to work at the start of the next business day.

(3) Employees will report to their immediate supervisor for accountability and for guidance concerning the restart of operations.

ATTACHMENT A

OMB Circular A-11 Compliance

1. Estimated time to complete shutdown of non-excepted activities	4 Hours
2. Number of employees expected to be on board prior to implementation of shutdown plan	1733
3. Total number of excepted employees	894
4. Number of employees to be retained under the plan because:	
a. They are engaged in military, law enforcement, or direct health care activities;	0
b. Their compensation is financed by other than annual appropriations;	466
c. Authority to obligate funds can be necessarily implied by statute;	350
d. Political appointees (PAS) needed in order to carry out their "chain of command" constitutional responsibilities, including minimal staff support; or	0
e. Needed for a short period to ensure an orderly shutdown of operations.	0
f. Protection of life and property.	78

ATTACHMENT B

Financial Management Service (FMS)

Functional Activity/Program/Office	Non- Excepted	Excepted	Reason Code
Office of the Commissioner	18		
			2 - A
Commissioner, Deputy Commissioner		4	2 - C
			5 - A
Office of the Chief Counsel		8	3 - C
Legislative & Public Affairs		2	A
Government-wide Accounting	192		
Office of the Assistant Commissioner		1	C
Cash Forecasting		10	C
Budget Reports		3	C
Payment Management	218		
			1 - A
Office of the Assistant Commissioner		4	3 - B
			2 - A
Payment Operations Support		25	23 - B
Check Resolution		31	B
			40 - A
Austin Regional Finance Center		78	38 - B
			1 - A
Kansas City Regional Finance Center		80	79 - B
			5 - A
Philadelphia Regional Finance Center		90	85 - B
			28 - A
San Francisco Regional Finance Center		93	65 - B
Information Resources	177		
			8 - A
Office of the Assistant Commissioner		10	2 - C
			11 - A
Security & Audit		18	7 - C
Network & Telecom		7	B
			12 - A
Platform Engineering		28	16 - C
Change Management		6	6 - A
			16 - A
Platform Operations Support		35	19 - B

Financial Management Service (FMS)

Functional Activity/Program/Office	Non- Excepted	Excepted	Reason Code
Management	138		
			1 - A
Office of the Assistant Commissioner		3	2 - C
			9 - A
Budget, Finance & Accounting		14	5 - C
			6 - A
Acquisitions		7	1 - C
			16 - A
Human Resources		18	2 - C
			14 - A
Building Support & Safety		17	3 - C
			6 - A
Security		8	2 - C
Federal Finance	75		
Office of the Assistant Commissioner		1	C
Collections		18	C
Debt Management Services		272	A
Business Architect			
Office of the Assistant Commissioner	21	3	A
Totals	839	894	

Reason Codes:

- A.) Their compensation is financed by other than annual appropriations;
- B.) Authority to obligate funds can be necessarily implied by statute;
- C.) Protection of life and property.

ATTACHMENT C-1

Date:

To: FMS EXCEPTED EMPLOYEES

From: Director
Human Resources Division

Subject: FMS Shutdown Designation – Excepted Employees

A government-wide shut-down and furlough of employees has become necessary due to a lapse in appropriations. Many Federal agencies, including Treasury, have closed non-essential government operations funded through annual appropriations unless they are excepted under Office of Management and Budget (OMB) standards.

The FMS functions of payments, collections, and cash reporting are considered excepted under OMB standards, and will continue during the shutdown, but with streamlined staff and minimal supporting functions. Certain employees who perform or support such functions are categorized as “excepted” and will remain in a work status. In addition, all employees funded by DMS or from other than annual appropriations are considered “exempt” and will remain in a work status. All other employees are designated as “non-excepted.” In addition to identifying exempt employees, the Commissioner, Deputy Commissioner and Assistant Commissioners identified excepted and non-excepted employees in relation to the functions that FMS will continue to perform. These designations are based upon functions, and are not intended to minimize the importance of any FMS position.

You have been designated as excepted and must report to work during the lapse in appropriations, which became effective at midnight [insert date]. If you have scheduled leave, training or travel during this period, you must cancel it. Our primary focus during this period will be the orderly shutdown of FMS and continuation of essential operations.

At the earliest possible time, the Human Resources Division (HRD) will release updated information regarding the shutdown, continuation of essential functions and other related matters.

If you have any questions about your designation, please contact your immediate supervisor, or call _____

Thank you for your cooperation.

Acknowledgement of Receipt:

Employee Signature _____

Supervisor's Signature _____

ATTACHMENT C-2

Date:

To: FMS EXEMPT EMPLOYEES

From: Director
Human Resources Division

Subject: FMS Shutdown Designation – Exempt Employees

A government-wide shut-down and furlough of employees has become necessary due to a lapse in appropriations. Many Federal agencies, including Treasury, have closed non-essential government operations funded through annual appropriations unless they are excepted under Office of Management and Budget (OMB) standards.

The FMS functions of payments, collections, and cash reporting are considered excepted under OMB standards, and will continue during the shutdown, but with streamlined staff and minimal supporting functions. Certain employees who perform or support such functions are categorized as “excepted” and will remain in a work status. In addition, all employees funded by DMS or from other than annual appropriations are considered “exempt” and will remain in a work status. All other employees are designated as “non-excepted.” In addition to identifying exempt employees, the Commissioner, Deputy Commissioner and Assistant Commissioners identified excepted and non-excepted employees in relation to the functions that FMS will continue to perform. These designations are based upon functions, and are not intended to minimize the importance of any FMS position.

You have been designated as exempt and must report to work during the lapse in appropriations, which became effective at midnight [insert date]. Your work schedule is unaffected by the lapse in appropriations and regular policies on training, travel and leave remain in effect. Our primary focus during this period will be the orderly shutdown of FMS and continuation of essential operations.

At the earliest possible time, the Human Resources Division (HRD) will release updated information regarding the shutdown, continuation of essential functions and other related matters.

If you have any questions about your designation, please contact your immediate supervisor, or call _____.

Thank you for your cooperation.

Acknowledgement of Receipt:

Employee Signature _____

Supervisor's Signature _____

ATTACHMENT D

Date: [insert date]

To: FMS NON-EXCEPTED EMPLOYEES

From: Director
Human Resources Division

Subject: FMS Shutdown – Furlough of Non-Excepted Employees

A government-wide shutdown and furlough of employees has become necessary due to a lapse in appropriations. Many Federal agencies, including Treasury, have closed non-essential government operations funded through annual appropriations unless they are excepted under Office of Management and Budget (OMB) standards.

The FMS functions of payments, collections, and cash reporting are considered excepted under OMB standards, and will continue during the shutdown, but with streamlined staff and minimal supporting functions. Certain employees who perform or support such functions are categorized as “excepted” and will remain in a work status. In addition, all employees funded by DMS or from other than annual appropriations are considered “exempt” and will remain in a work status. All other employees are designated as “non-excepted.” In addition to identifying exempt employees, the Commissioner, Deputy Commissioner and Assistant Commissioners identified excepted and non-excepted employees in relation to the functions that FMS will continue to perform. These designations are based upon functions, and are not intended to minimize the importance of any FMS position.

You have been designated as non-excepted. Due to the lapse in appropriations, you have been placed in a furlough status, effective midnight of [insert date]. If leave, training or travel has been scheduled during this period, you must cancel it.

As a non-excepted employee, you will remain in a furlough status until funding has been made available for FMS’s full operations. At the earliest possible time, the Human Resources Division (HRD) will release updated information regarding the shutdown, furlough and other related matters, including your right to appeal this action.

If you have any questions about your designation, please contact your immediate supervisor.

Thank you for your cooperation.

Acknowledgement of Receipt:

Employee Signature _____

Supervisor's Signature _____

ATTACHMENT E

Please see the official *Questions and Answers* posted on the Office of Personnel Management and Office of Management and Budget websites.

ATTACHMENT F

MEMORANDUM FOR ALL EMPLOYEES WHO ARE NOT IN THE SENIOR
EXECUTIVE SERVICE OR SCHEDULE C

From: Name
 Title

Subject: Notice of Furlough

This memorandum is to advise you that you will be furloughed for a period not to exceed 30 calendar days. This furlough will be effective_____.

This furlough is being initiated under the authority of 5 C.F.R. Part 752, Subpart D, due to a lapse of appropriations available to the bureau. Advance notice and an opportunity to reply are not being provided, under the authority of 5 C.F.R. 752.404 (d) (2), which waives such provisions in case of sudden emergencies requiring immediate curtailment of activities. The failure of Congress to fund the agency's work in a timely manner is such an emergency.

While you are on furlough, you will be in a nonpay, nonduty status. Annual, sick, court, or military leave which has been approved for this furlough period is canceled. Also, during the furlough, you will not be permitted to serve as an unpaid volunteer for the government, and must remain away from your workplace.

If some employees in your competitive level (generally, positions at the same grade level and classification series, the duties of which are generally interchangeable) are not being furloughed, it is because they are in positions the duties and responsibilities of which have been determined to be of crucial importance to the bureau's mission and cannot be curtailed, are compensated by other than annual appropriations, or are otherwise engaged in activities related to an orderly shutdown of agency operations. (Alternate or additional explanations may include employees that (1) are currently in a non-pay status, (2) are under an Intergovernmental Personnel Act mobility assignment, or (3) are on an assignment not otherwise causing an expenditure of appropriated funds to the bureau.)

It is our hope that the full 30 calendar day furlough will not be needed. You should listen for news on local radio and television stations for information related to the early termination of this furlough period. In addition, you may call the FMS emergency bulletin board system on 1-866-654-9540 for updates on reporting status. If the furlough is effective for the entire 30 calendar day period, you should report back to work at the normal start of your regular tour of duty on_____.

You may appeal this action to the Merit Systems Protection Board if your employment status meets any of the following criteria:

1. You have completed a probationary or trial period or one year of current continuous employment in the competitive service under other than a temporary appointment, limited to one year or less.
2. You are a preference eligible employee in an excepted service appointment and have completed one year of current continuous service in the same position or positions similar to the one you now hold.
3. You are in an excepted service appointment and have completed two years of current continuous service in the same or similar position under other than a temporary appointment limited to two years or less.

If you have the right of appeal and wish to appeal this action to the MSPB, you must file your appeal during the period beginning the day after the effective date of the furlough and ending on the 30th day after the effective date. You have the right to be represented in this matter by an attorney or other person you may choose. A copy of the appeal form is enclosed. You may review the MSPB's regulations in Room_____. The regulations are also published in 5 C.F.R. Part 1200.

Following is the address of the MSPB Regional Office having jurisdiction:

Attachment

I acknowledge receipt of this notice:

Employee's Name

Date

Printed Name

ATTACHMENT G

MEMORANDUM FOR ALL CAREER EMPLOYEES IN THE SENIOR EXECUTIVE
SERVICE

From: Name
 Title

Subject: Notice of Furlough

This memorandum is to advise you that you will be furloughed for a period not to exceed 30 calendar days. This furlough will be effective_____.

This furlough is being initiated under the authority of 5 C.F.R. Part 359, Subpart H, due to a lapse of appropriations available to the bureau. Thirty days advance notice is not being provided, under the authority of 5 C.F.R. 359.806 (a), which waives such provisions in case of sudden emergencies requiring immediate curtailment of activities. The failure of Congress to fund the agency's work in a timely manner is such an emergency.

While you are on furlough, you will be in a nonpay, nonduty status. Annual, sick, court, or military leave which has been approved for this furlough period is canceled. Also, during the furlough, you will not be permitted to serve as an unpaid volunteer, and must remain away from your workplace.

If some employees in your organizational unit are not being furloughed, it is because they are in positions the duties and responsibilities of which have been determined to be of crucial importance to the bureau's mission and cannot be curtailed, are compensated by other than annual appropriations, or are otherwise engaged in activities related to an orderly shutdown of agency operations. (Alternate or additional explanations may include employees that (1) are currently in a non-pay status, (2) are under an Intergovernmental Personnel Act mobility assignment, or (3) are on an assignment not otherwise causing an expenditure of appropriated funds to the bureau.)

It is our hope that the full 30 calendar day furlough will not be needed. You should listen for news on local radio and television stations for information related to the early termination of this furlough period. In addition, you may call the FMS emergency bulletin board system on 1-866-654-9540 for updates on reporting status. If the furlough is effective for the entire 30 calendar day period, you should report back to work at the normal start of your regular tour of duty on_____.

You may appeal this action to the Merit Systems Protection Board. If you appeal this action to the MSPB, you must file your appeal during the period beginning the day after the effective date of the furlough and ending on the 30th day after the effective date.

You have the right to be represented in this matter by an attorney or other person you may choose. A copy of the appeal form is enclosed. You may review the MSPB's regulations in Room_____. The regulations are also published in 5 C.F.R. Part 1200.

Following is the address of the MSPB Regional Office having jurisdiction:

Attachment

I acknowledge receipt of this notice:

Employee's Name

Date

Printed Name